



## **Co-option Policy**

**This document sets out Keswick Town Council's co-option policy.**

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**Town Clerk**

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## **Co-option Procedure**

### **Introduction**

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Keswick Town Council.

The co-option procedure is entirely managed by the Town Council and this policy will ensure that a fair and equitable process is carried out.

The co-option of a town councillor occurs in two instances:

1. When an ordinary vacancy has arisen on the Town Council after the ordinary election held every four years; or
2. When a casual vacancy has arising on a Town Council and no poll (by-election) has been called.

The Town Council is composed of two wards; Keswick East (7 members) and Keswick West (5 members).

### **Ordinary Vacancy**

There are two circumstances under which the Electoral Officer at Allerdale Borough Council will notify Keswick Town Council that it may, if it so wishes, proceed to fill a casual vacancy by co-option:

**Ordinary Vacancy** – when a ward seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently at four yearly intervals). In this instance the Town Clerk would be notified of vacancies by Allerdale Borough Council and that efforts must be made to fill the vacancies by co-option. Provided that there are enough Town Councillors to constitute a quorum (currently four (4) councillors), the Council will decide if they will to proceed to stage 2.

**Casual Vacancy** – during the life of a Council when a ward seat has fallen vacant (because of a resignation, death, disqualification or ineligibility). The Town Clerk will immediately notify the Electoral Office at Allerdale Borough Council and the vacancy will be advertised as soon as is reasonably practicable. If the required ten (10) electors of the ward have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy, the Town Clerk will then be notified by Allerdale Borough Council, that the vacancy(ies) can be filled by co-option. The Council will then be able to co-opt a volunteer.

The Town Council is not obliged to fill any vacancy, however it is not desirable that electors in a ward be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload equitably; to provide a broad cross-section of skills and interest; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

Councillors elected by co-option are full members of the Council.

### **Application procedure**

On receipt of written notification from the Electoral Officer at Allerdale Borough Council that no by-election has been claimed, the Casual Vacancy can be filled by means of co-option.

The Clerk will:

1. Announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the Council Noticeboard and website. A copy of the Notice will also be sent to the local press, and an advert placed.
2. The co-option notice will include the closing date for acceptance of request for consideration (between 14 and 30 days after the date of the display) and the number of vacancies.
3. The Town Clerk will advise when the Co-option Policy has been instigated, by sending an email to all councillors.

This procedure will also apply in the case of an ordinary vacancy where the Electoral Services Office has confirmed that there were insufficient nominations to fill all the seats but there are sufficient town councillors elected to constitute a quorum.

Members of the Town Council may point out the vacancies and the process to any qualifying candidate(s).

Candidates found to be offering inducements of any kind will be disqualified.

The Statutory requirements to be co-opted as a Council as the same as standing for election to the Town Council.

The applicant needs to be proposed and seconded by two residents on the electoral register for the appropriate Town Council ward.

The applicant must meet at least one of the following qualifications:

1. is on the electoral register anywhere within the parish; **or**
2. has lived in or within 3 miles of the parish boundary for the previous 12 months; **or**
3. owns, rents, occupies or otherwise has right of occupation of land in the parish; **or**
4. works in the parish.

Although there is **no statutory requirement to do so**, applicants for co-option will be asked to:

1. submit information about themselves, by completing a short application form (a copy of the application form is attached as Appendix 1) together with a CV and written summary covering: their reasons for wishing to be a councillor; previous community/council work; any other skills they can bring to the

- Council; their interests and recent career history, similar to what they would produce if standing for election;
2. confirm their eligibility for the position of Councillor within the statutory rules (a copy of the confirmation of eligibility form is attached as Appendix 2).

Copies of the applicant's application forms will be circulated to all councillors by the Town Clerk at least seven days prior to the meeting of the full Council when the co-option will be considered. All documents will be treated by the Clerk and all councillors in confidence and in accordance with the GDPR 2018.

Candidates will then be sent an invitation to attend the meeting at which their appointment application will be considered as part of the full agenda of the meeting.

Candidates will be informed that they **may** wish to speak for up to 3 minutes about their application at the Council meeting, but this is at their discretion and not obligatory. This process will be carried out in public session, and there will be no private discussions between members prior to a vote being taken. However, where the Town Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Town Council should resolve to exclude the members of the press and public. If there is no discussion requested, the Chair can then commence the voting procedure.

### **Voting Procedure**

If consideration of the application has taken place without the press or public being present, the Chair will reconvene the meeting and it will be reopened to the public and press and voting takes place.

Voting will be according to the statutory requirements in that a successful candidate must have received an absolute majority vote of those present and voting (50% + 1 of the votes available at the meeting). If there are more than two candidates for one vacancy and none of them at first count receives a majority over the aggregate votes given to the rest, the candidate with the least number of votes will be removed from consideration and the remainder will be put to the vote again.

This process will if necessary be repeated until a majority is obtained.

This process will be followed separately for each individual vacancy for which co-option is under consideration.

If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled (e.g. if 12 Councillors are present, and seven abstain from voting there is no absolute majority).

Councillors shall vote by show of hands, unless two Councillors request a secret ballot.

In the case of equality of votes, the Chair of the meeting has a second or casting vote.

After the vote has been concluded, the Chair will declare the successful candidate duly elected and after signing their declaration of acceptance of Office may take their seat immediately.

The Council is not obliged to provide feedback on the application process to unsuccessful candidates.

### **Acceptance of Office**

The successful candidate(s) must sign their declaration of acceptance of office before they can act as a councillor. The Register of Interest must be completed within 28 days and the Town Clerk will forward a copy to the Monitoring Officer at Allerdale Borough Council.

The Clerk will advise the Elections Officer of Allerdale Borough Council of the names of anyone co-opted onto the Council.

The Town Clerk is responsible for providing each new councillor with an induction, a new Councillors pack and should ensure that all new councillors have read and understood the Code of Conduct and the Standing Orders adopted by the Council.

### **Appendices**

**Appendix 1 – Application Form**

**Appendix 2 – Eligibility Form**

**Appendix 1**

**KESWICK TOWN COUNCIL  
Co-option Application Form**

<b>PERSONAL DETAILS – (Block Capitals Please)</b>		
<b>Name:</b>		
<b>Address:</b>		
<b>Telephone or Mobile Number:</b>		
<b>Email address:</b>		
<b>Are you 18 or over</b>	Yes	No

If NOT resident in Keswick please confirm the address for qualification in Appendix 2 Section 1 Eligibility

Address
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Is there any other information you would like to disclose regarding you application? (e.g. if you are related to an employee of the Council/would require assistance during Council meetings with mobility, hearing or vision).

Signature ..... Date .....

Please return your completed form, together with your written summary and the Co-option eligibility form to:

Town Clerk  
Keswick Town Council  
50 Main Street  
Keswick  
CA12 5JS

Email: [office@keswicktowncouncil.gov.uk](mailto:office@keswicktowncouncil.gov.uk)

For verification by Town Clerk:
Electoral Roll No.

Please detail any experience you have that may be relevant to Keswick Town council (If necessary, please continue using a separate sheet of paper).



## Appendix 2

### Co-option Eligibility Form

In order to be eligible for co-option as a Keswick Town councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and be 18 years of age or over on the 'relevant date' (i.e the day on which you are nominated or if there is a poll the day of the election). You must additionally be able to meet one of the following qualifications (Please tick which of the above applies to you).

- I am registered as a local government elector of the parish of Keswick; **or**

- I have, during the whole of the twelve months preceding the date of my co-option, occupied as an owner or tenant, land or other premises in the parish of Keswick; **or**

- My principal or only place of work during those twelve months has been in the parish of Keswick; **or**

- I have during the whole twelve months preceding the date of my co-option resided within 3 miles of the parish of Keswick.

Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

1. holds any paid office or employment of the Town council (other than the office of Chair) or of a joint committee on which the Council is represented; **or**
2. is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors\* (but see below); **or**
3. has within five years before the day of the election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; **or**
4. is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices

\*This disqualification for bankruptcy ceases in the following circumstances:-

- i. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- ii. If the person is discharged without a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii. If the person is discharged without such a certificate.

In (i) and (ii) above, the disqualification ceases on the date of the annulment and discharge respectively. In (iii), it ceases on the expiry of five years form the date of discharge.

I (insert name)..... hereby confirm,

That I am eligible to apply for the vacancy of Keswick Town Councillors, and the information given on this form is a true and accurate record.

Signed ..... Dated  
.....

WARD  
.....  
.....

\*Proposer  
Name .....  
Address

For verification by Town Clerk Electoral Roll number:  Electoral Roll Number:
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\*Seconder  
Name .....  
Address .....

For verification by Town Clerk Electoral Roll number:  Electoral Roll Number:
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\*Please note proposers and seconders need to be electors in the ward in which you intend to apply for co-option.